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FOR	
EXAMINATION (RCE)	
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ection of information unless it displays a valid OMB control number.						
Application Number .	09/658,283					
Filing Date	09/08/00					
First Named Inventor	Turner					
Art Unit	1646					
Examiner Name	J. F. Murphy					
Attorney Docket Number	LEX-0041-USA					

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

Submission requi	red under 37 CFR 1.114								
a. Previously submitted									
i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).									
ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on									
iii. Other									
b. X Enclosed									
i. 🗶 Ame	ndment/Reply	iii. 🔲 Informa	tion Disclosure State	ment (IDS)					
ii. 🔲 Affid	avit(s)/Declaration(s)	iv. X Other	Return postcard,	, fee transmittal					
2. Miscellaneous									
a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17 (i) required) b. Other 3. Fees									
	ed on this form. Provide credit card i								
Name (Print/Type)	Lance K. Ishimoto		Registration No. (Attorney/Agent) 41,866						
Signature	hallet he filled two	? Date	January 20, 2004						
CÉRTIFICATE OF MAILING OR TRANSMISSION									
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail, EV232149613US, in an envelope addressed to: Commissioner For Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.									
Name (Print/Type) Nancy Stacey									
Signature	Tary Stacy	Date	January 20, 2004						

Burden Hour Statement: This form is estimated to take 0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

PTO/SB/17 (01-03)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark office: U.S. DEPARTMENT OF COMMERCE
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Complete if Known Application Number 09/658,283 09/08/00 Filing Date First Named Inventor Turner **Examiner Name** J. F. Murphy Group Art Unit 1646 CO 27 SEB 9.27 Applicant aims small entity status. TOTAL AMOUNT OF PAYMENT (\$) 385.00 Attorney Docket No. LEX-0041-USA

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METHO	DО	F PAY	MEN.	T (check all that app	ply)	FEE CALCULATION (continued)					
Check Credit Card Money Other None				Large	3. ADDITIONAL FEES Large Entity Small Entity						
X Depos	sit Ac	count				Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
	_					1051	130	2051	65	Surcharge - late fling fee or oath	
Deposit Account Number	50-	-0892				1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Deposit Account Name	Lex	xicon Ge	netics	Incorporated		1053	130	1053	130	Non-English specification	!
The Commiss	sione	er is auth	orized	to: (check all that apply)		1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
X Charg	ge fer	e(s) indica	ated be	elow X Credit any ove	rerpayments	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	<u> </u>
X Charg	ge an	y addition	nal fee((s) during the pendency of	i this application	1805	1,840*	1805	1,840**		
Char	ge fe	e(s) indic	ated be	elow, except for the filing	j fee	1251	110	2251	55	Extension for reply within first month	
to the above-i	ident	ified depr	osit acc	ount.		1252	420	2252	210	Extension for reply within second month	
		FE'	E CA	LCULATION		1253	950	2253	475	Extension for reply within third month	
1. BASIC	FIL	ING F	EE			1254	1,480	2254	740	Extension for reply within fourth month	
Large Entity	ty	Small E		_	1	1255	2,010	2255	1,005	Extension for reply within fifth month	
Fee Fee Code (\$)		Fee Code	Fee (\$)	Fee Description	Fee Paid	1401	330	2401	165	Notice of Appeal	
1001 770		2001	385	Utility filing fee		1402	330	2402	165	Filing a brief in support of an appeal	
1002 346	10	2002	170	Design filing fee		1403	290	2403	145	Request for oral hearing	
1003 530	30	2003	265	Plant filing fee		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1004 776	/0	2004	385	Reissue filing fee		1452	110	2452	55	Petition to revive - unavoidable	
1005 160	<i>5</i> 0	2005	80	Provisional filing fee		1453	1,330	2453	665	Petition to revive - unintentional	
<u> </u>				SUBTOTAL (1) (\$)		1501	1,330	2501	665	Utility issue fee (or reissue)	
2. EXTRA	4 CL	AIM F	EES F	FOR UTILITY AND	REISSUE	1502	480	2502	240	Design issue fee	
	_		Extra	Fee from below	Fee Paid	1503	640	2503	320	Plant issue fee	
Total Claims		-20**	·= [x =	·	1460	130	1460	130	Petitions to the Commissioner	
Independent Claims		.3**,	- <u></u>	× =	:	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Multiple Depe	ende	ent		=	·	1806	180	1806	180	Submission of Information Disclosure Stmt	
	_	Small		<u> </u>		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
Code (\$	ee (\$)	Fee Code	Fee (\$)	Fee Descrip	<u>tion</u>	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1201 86	18 86 90	2202 2201 2203	9 43 145	Claims in excess of 20 Independent claims in ex Multiple dependent claim		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1	86	2203	43	**Reissue independent of over original patent		1801	770	2801	385	Request for Continued Examination (RCE)	385.00
1205 18	18	2205	9	** Reissue claims in exc and over original pate		1802	900	1802	900	Request for expedited examination of a design application	
SUBTOTAL (2) (\$)					Other f	fee (specif	y)				
**or number proviously paid if greater: For Raissuge, see shown					*Dod.	ead by Bac	nia Eilin	a Eoo Do	SUBTOTAL (3) (\$) 38	85.00	

SUBMITTED BY	Complete (if app	Complete (if applicable)			
Name (Print/Type)	Lance K. Ishimoto	Registration No. (Attorney/Agent)	41,866	Telephone	(281) 863-3333
Signature	Enclosidory felles	1 Beer 6 Sage Begno 40162	nań -	Date	January 20, 2004

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MICELLED ITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Turner et al.

Group Art Unit: 1646

lication No.:

09/658,283

Examiner: J.F. Murphy

09/08/00

Novel Human 7TM Proteins and Polynucleotides

Att Docket No.:LEX-0041-USA

Encoding the Same

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114 AMENDMENT AND RESPONSE

Mail Stop RCE Commissioner for Patents Alexandria, VA 22313-1450

Sir:

The Applicants acknowledge the receipt of the Notification of Non-compliance mailed on December 17, 2003, regarding Applicants' Appeal Brief filed on September 2, 2003 that was deemed to be defective for failure to comply with one or more provisions of 37 CFR §1.192(c). The reason the Brief was deemed defective is stated as "The Brief includes newly presented references to serve as evidence. New evidence must be submitted in a paper separate from the appeal brief, see MPEP 1207. Applicant is advised that affidavits, or exhibits submitted after the case has been appealed will not be admitted without a showing of good and sufficient reasons why they were not earlier presented."

Applicants believe that consideration of the contested evidence is critical to proper and accurate examination, thus in order to more rapidly advance this application towards allowance Applicants hereby respectfully request continued examination of application Serial No: 09/658,283 and submit the following amendments and evidence and respectfully request reconsideration of the application in view of these submissions and remarks.

Applicants' response to the Notification of Non-Compliance is due on January 17, 2004, which falls on a Saturday and is followed by a Monday holiday and is thus extended to Tuesday, January 20, 2004. This response is thus timely submitted.

Applicants believe no fees in addition to the fee for the Request for Continued Examination (RCE) are due in connection with this response. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0892.